



Senate

General Assembly

File No. 162

February Session, 2018

Substitute Senate Bill No. 287

Senate, April 3, 2018

The Committee on Veterans' Affairs reported through SEN. FLEXER of the 29th Dist. and SEN. MARTIN of the 31st Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT EXPANDING ELIGIBILITY FOR CERTAIN VETERANS BENEFITS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 27-103 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) As used in the general statutes, except chapter 504, and except as
4 otherwise provided: (1) "Armed forces" means the United States Army,
5 Navy, Marine Corps, Coast Guard and Air Force and any reserve
6 component thereof, including the Connecticut National Guard
7 performing duty as provided in Title 32 of the United States Code, as
8 amended from time to time; (2) "veteran" means any person honorably
9 discharged [from,] or released under honorable conditions from
10 [active] service in [,] the armed forces; (3) "service in time of war"
11 means service of ninety or more cumulative days [except, if the period
12 of war lasted less than ninety days, "service in time of war" means
13 service for the entire period of war,] during a period of war unless
14 separated from service earlier because of [a] an injury incurred or

15 aggravated in the line of duty or a service-connected disability rated
16 by the [Veterans' Administration, during a period of war] United
17 States Department of Veterans Affairs, except that if the period of war
18 lasted less than ninety days, "service in time of war" means service for
19 the entire such period of war unless so separated because of any such
20 injury or disability; and (4) "period of war" has the same meaning as
21 provided in 38 USC 101, as amended from time to time, except that the
22 "Vietnam Era" means the period beginning on February 28, 1961, and
23 ending on July 1, 1975, in all cases; and "period of war" shall include
24 service while engaged in combat or a combat support role in Lebanon,
25 July 1, 1958, to November 1, 1958, or September 29, 1982, to March 30,
26 1984; Grenada, October 25, 1983, to December 15, 1983; Operation
27 Earnest Will, involving the escort of Kuwaiti oil tankers flying the
28 United States flag in the Persian Gulf, July 24, 1987, to August 1, 1990;
29 and Panama, December 20, 1989, to January 31, 1990, and shall include
30 service during such periods with the armed forces of any government
31 associated with the United States.

32 (b) As used in this part, "Veterans Residential Services facility"
33 means the Veterans Residential Services facility in Rocky Hill
34 maintained by the Department of Veterans Affairs that provides
35 temporary and other supported residential services for qualifying
36 veterans; "hospital" means any incorporated hospital or tuberculosis
37 sanatorium in the state and any state chronic disease hospital, or
38 hospital for persons with mental illness; "Healthcare Center" means the
39 hospital in Rocky Hill maintained by the Department of Veterans
40 Affairs; "veteran" means any veteran, as defined in subsection (a) of
41 this section, who is a resident of this state; [, provided, if he or she was
42 not a resident or resident alien of this state at the time of enlistment or
43 induction into the armed forces, he or she shall have resided
44 continuously in this state for at least two years;] "eligible dependent"
45 means any parent, wife or husband, or child of a veteran who has no
46 adequate means of support; and "eligible family member" means any
47 parent, brother or sister, wife or husband, or child or children under
48 eighteen years of age, of any veteran whose cooperation in the
49 program is integral to the treatment of the veteran.

50 Sec. 2. Subsection (a) of section 4-61bb of the general statutes is
51 repealed and the following is substituted in lieu thereof (*Effective*
52 *October 1, 2018*):

53 (a) For the purposes of this section, "licensing authority" means the
54 Department of Consumer Protection, the Department of Emergency
55 Services and Public Protection, the Labor Department, the Department
56 of Motor Vehicles, the Department of Public Health, the Board of
57 Regents for Higher Education, the Office of Higher Education, the
58 Board of Trustees of The University of Connecticut or the Police
59 Officer Standards and Training Council; "service member" means a
60 member of the armed forces or the National Guard or a veteran;
61 "armed forces" has the same meaning as set forth in section 27-103, as
62 amended by this act; and "veteran" means any person who was
63 discharged or released under conditions other than dishonorable from
64 [active] service in the armed forces.

65 Sec. 3. Section 5-224 of the general statutes is repealed and the
66 following is substituted in lieu thereof (*Effective October 1, 2018*):

67 Any veteran who served in time of war, if such veteran is not
68 eligible for disability compensation or pension from the United States
69 through the Veterans' Administration, or the spouse of such veteran
70 who by reason of such veteran's disability is unable to pursue gainful
71 employment, or the unmarried surviving spouse of such veteran, and
72 if such person has attained at least the minimum earned rating on any
73 examination held for an original appointment for the purpose of
74 establishing a candidate list to fill a vacancy in accordance with
75 subsection (d) of section 5-228, shall have five points added to his or
76 her earned rating. Any such veteran, or the spouse of such veteran
77 who by reason of such veteran's disability is unable to pursue gainful
78 employment, or the unmarried surviving spouse of such veteran, if
79 such person is eligible for such disability compensation or pension and
80 if he or she has attained at least the minimum earned rating on any
81 such examination held for an original appointment for the purpose of
82 establishing a candidate list to fill a vacancy in accordance with

83 subsection (d) of section 5-228, shall have ten points added to his or
84 her earned rating. Any person who has been honorably discharged
85 [from] or released under honorable conditions from [active] service in
86 the armed forces of the United States, and who has served in a military
87 action for which such person received or was entitled to receive a
88 campaign badge or expeditionary medal, shall have five points added
89 to his or her earned rating if such person has attained at least the
90 minimum earned rating on any such examination held for an original
91 appointment for the purpose of establishing a candidate list to fill a
92 vacancy in accordance with subsection (d) of section 5-228 and such
93 person is not otherwise eligible to receive additional points pursuant
94 to this section. Names of any such persons shall be placed upon the
95 candidate lists in the order of such augmented ratings. Credits shall be
96 based upon examinations with a possible rating of one hundred points.

97 Sec. 4. Subsection (b) of section 7-294d of the general statutes is
98 repealed and the following is substituted in lieu thereof (*Effective*
99 *October 1, 2018*):

100 (b) No person may be employed as a police officer by any law
101 enforcement unit for a period exceeding one year unless such person
102 has been certified under the provisions of subsection (a) of this section
103 or has been granted an extension by the council. No person may serve
104 as a police officer during any period when such person's certification
105 has been cancelled or revoked pursuant to the provisions of subsection
106 (c) of this section. In addition to the requirements of this subsection,
107 the council may establish other qualifications for the employment of
108 police officers and require evidence of fulfillment of these
109 qualifications. The certification of any police officer who is not
110 employed by a law enforcement unit for a period of time in excess of
111 two years, unless such officer is on leave of absence, shall be
112 considered lapsed. Upon reemployment as a police officer, such officer
113 shall apply for recertification in a manner provided by the council. The
114 council shall certify any applicant who presents evidence of
115 satisfactory completion of a program or course of instruction in
116 another state or, if the applicant is a veteran or a member of the armed

117 forces or the National Guard, as part of training during service in the
118 armed forces, that is equivalent in content and quality to that required
119 in this state, provided such applicant passes an examination or
120 evaluation as required by the council. For the purposes of this section,
121 "veteran" means any person who was discharged or released under
122 conditions other than dishonorable from [active] service in the armed
123 forces and "armed forces" has the same meaning as provided in section
124 27-103, as amended by this act.

125 Sec. 5. Subsection (a) of section 10a-149d of the general statutes is
126 repealed and the following is substituted in lieu thereof (*Effective*
127 *October 1, 2018*):

128 (a) An institution of higher education shall award college credit for
129 military occupational specialty training to a member of the armed
130 forces or the National Guard or a veteran who enrolls at such
131 institution and has experience in a military occupation recognized by
132 such institution as substituting for or meeting the requirements of a
133 particular course of study. For the purposes of this section, "veteran"
134 means any person who was discharged or released under conditions
135 other than dishonorable from [active] service in the armed forces and
136 "armed forces" has the same meaning as provided in section 27-103, as
137 amended by this act.

138 Sec. 6. Subdivision (10) of subsection (a) of section 12-217pp of the
139 general statutes is repealed and the following is substituted in lieu
140 thereof (*Effective October 1, 2018*):

141 (10) "Veteran employee" means a new employee who, at the time of
142 hiring by the taxpayer, is a member of, was honorably discharged from
143 or was released under honorable conditions from [active] service in the
144 armed forces, as defined in section 27-103, as amended by this act.

145 Sec. 7. Subdivision (2) of subsection (b) of section 12-81jj of the 2018
146 supplement to the general statutes is repealed and the following is
147 substituted in lieu thereof (*Effective October 1, 2018*):

148 (2) Any such veteran submitting a claim for such exemption shall be
149 required to file an application, on a form prepared for such purpose by
150 the assessor, not later than the assessment date with respect to which
151 such exemption is claimed, which application shall include (A) a
152 certified copy of such veteran's military discharge document, as
153 defined in section 1-219, or (B) in the absence of such certified copy, at
154 least two affidavits of disinterested persons showing that the claimant
155 was honorably discharged [from,] or released under honorable
156 conditions from [active] service in [,] the armed forces, as defined in
157 section 27-103, as amended by this act, provided the assessor may
158 further require such claimant to be examined by such assessor under
159 oath concerning such facts. Each such application shall include a copy
160 of such veteran's federal income tax return, or in the event such a
161 return is not filed such evidence related to income as may be required
162 by the assessor, for the tax year of such veteran ending immediately
163 prior to the assessment date with respect to which such exemption is
164 claimed. Such town clerk shall record each such affidavit in full and
165 shall list the name of such veteran, and such service shall be performed
166 by such town clerk without remuneration. No assessor, board of
167 assessment appeals or other official shall allow any such claim for
168 exemption unless evidence as specified in this section has been filed in
169 the office of such town clerk. Any such veteran who has filed for such
170 exemption and received approval for the first time shall be required to
171 file for such exemption biennially thereafter, subject to the provisions
172 of subsection (c) of this section.

173 Sec. 8. Subdivision (3) of subsection (e) of section 14-36 of the 2018
174 supplement to the general statutes is repealed and the following is
175 substituted in lieu thereof (*Effective October 1, 2018*):

176 (3) Before granting a license to any applicant who has not
177 previously held a Connecticut motor vehicle operator's license, or who
178 has not operated a motor vehicle during the preceding two years, the
179 commissioner shall require the applicant to demonstrate personally to
180 the commissioner, a deputy or a motor vehicle inspector or an agent of
181 the commissioner, in such manner as the commissioner directs, that

182 the applicant is a proper person to operate motor vehicles of the class
183 for which such applicant has applied, has sufficient knowledge of the
184 mechanism of the motor vehicles to ensure their safe operation by him
185 or her and has satisfactory knowledge of the laws concerning motor
186 vehicles and the rules of the road. The knowledge test of an applicant
187 for a class D motor vehicle operator's license may be administered in
188 such form as the commissioner deems appropriate, including audio,
189 electronic or written testing. Such knowledge test shall be
190 administered in English, Spanish or any language spoken at home by
191 at least one per cent of the state's population, according to statistics
192 prepared by the United States Census Bureau, based on the most
193 recent decennial census. Each such knowledge test shall include a
194 question concerning highway work zone safety and the responsibilities
195 of an operator of a motor vehicle under section 14-212d. Each such
196 knowledge test shall include not less than one question concerning
197 distracted driving, the use of mobile telephones and electronic devices
198 by motor vehicle operators or the responsibilities of motor vehicle
199 operators under section 14-296aa. If any such applicant has held a
200 license from a state, territory or possession of the United States where
201 a similar examination is required, the commissioner may waive part or
202 all of the examination. If any such applicant is (A) a veteran who
203 applies not later than two years after the date of discharge from the
204 military and who, prior to such discharge, held a military operator's
205 license for motor vehicles of the same class as that for which such
206 applicant has applied, or (B) a member of the armed forces or the
207 National Guard who currently holds a military operator's license for
208 motor vehicles of the same class as that for which such applicant has
209 applied, the commissioner shall waive all of the examination, except in
210 the case of commercial motor vehicle licenses, the commissioner shall
211 only waive the driving skills test for such applicant who meets the
212 conditions set forth in 49 CFR 383.77. For the purposes of this
213 subsection, "veteran" means any person who was discharged or
214 released under conditions other than dishonorable from [active]
215 service in the armed forces and "armed forces" has the same meaning
216 as provided in section 27-103, as amended by this act. When the

217 commissioner is satisfied as to the ability and competency of any
218 applicant, the commissioner may issue to such applicant a license,
219 either unlimited or containing such limitations as the commissioner
220 deems advisable, and specifying the class of motor vehicles which the
221 licensee is eligible to operate.

222 Sec. 9. Subsection (f) of section 14-36h of the 2018 supplement to the
223 general statutes is repealed and the following is substituted in lieu
224 thereof (*Effective October 1, 2018*):

225 (f) As used in this section: (1) "Full legal name" means the most
226 complete version of the name that appears on a person's certificate of
227 birth, official passport or other document or documents accepted by
228 the Commissioner of Motor Vehicles to verify the person's identity,
229 unless the person presents a marriage license or certificate, a certificate
230 of civil union, a divorce decree or an order of a court of competent
231 jurisdiction pertaining to a permanent change of the person's name;
232 and (2) "veteran" means any person honorably discharged [from,] or
233 released under honorable conditions from [active] service in [,] the
234 armed forces, as defined in subsection (a) of section 27-103, as
235 amended by this act, and any former member of the armed forces who
236 is entitled to retirement pay under 10 USC Chapter 1223, as amended
237 from time to time, or, but for age, would be so entitled.

238 Sec. 10. Subsection (b) of section 19a-179 of the general statutes is
239 repealed and the following is substituted in lieu thereof (*Effective*
240 *October 1, 2018*):

241 (b) For the purposes of this section, "veteran" means any person
242 who was discharged or released under conditions other than
243 dishonorable from [active] service in the armed forces and "armed
244 forces" has the same meaning as provided in section 27-103, as
245 amended by this act.

246 Sec. 11. Subsection (l) of section 20-206mm of the general statutes is
247 repealed and the following is substituted in lieu thereof (*Effective*
248 *October 1, 2018*):

249 (l) For the purposes of this section, "veteran" means any person who
250 was discharged or released under conditions other than dishonorable
251 from [active] service in the armed forces and "armed forces" has the
252 same meaning as provided in section 27-103, as amended by this act.

253 Sec. 12. Section 27-100g of the general statutes is repealed and the
254 following is substituted in lieu thereof (*Effective October 1, 2018*):

255 The Department of Veterans Affairs shall establish, within available
256 resources, a Connecticut women veterans' program to (1) conduct
257 outreach to women veterans for the purpose of improving awareness
258 of eligibility for federal and state veterans' benefits and services; (2)
259 conduct assessments of the needs of women veterans with respect to
260 benefits and services; (3) review programs, research projects and other
261 initiatives designed to address or meet the needs of Connecticut's
262 women veterans; (4) submit recommendations for improving benefits
263 and services available to women veterans to the Commissioner of
264 Veterans Affairs and, in accordance with the provisions of section 11-
265 4a, to the joint standing committee of the General Assembly having
266 cognizance of matters relating to military and veterans' affairs on
267 January 15, 2016, and annually thereafter; and (5) incorporate women
268 veterans' issues in strategic planning concerning benefits and services.
269 The commissioner may adopt regulations in accordance with chapter
270 54 to supplement and implement the provisions of this section. For the
271 purposes of this section, "veteran" means any person who was
272 discharged or released under conditions other than dishonorable from
273 [active] service in the armed forces and "armed forces" has the same
274 meaning as provided in section 27-103, as amended by this act.

275 Sec. 13. Subsection (a) of section 27-102q of the general statutes is
276 repealed and the following is substituted in lieu thereof (*Effective*
277 *October 1, 2018*):

278 (a) For purposes of this section, "veteran" means any person
279 discharged or released from [active] service in the armed forces, as
280 defined in section 27-103, as amended by this act, regardless of his or
281 her discharge classification.

282 Sec. 14. Subsection (a) of section 27-109a of the general statutes is
283 repealed and the following is substituted in lieu thereof (*Effective*
284 *October 1, 2018*):

285 (a) The Department of Veterans Affairs may establish and maintain,
286 within available resources, a registry of data on members of the armed
287 forces, as defined in section 27-103, as amended by this act, who have
288 completed a period of [active] service. The department may develop
289 surveys for members or their health care providers to voluntarily
290 provide data during or after such active service. The surveys and data
291 shall be collected and maintained in accordance with the requirements
292 of the federal Health Insurance Portability and Accountability Act of
293 1996 (P.L. 104-191) (HIPAA), as amended from time to time, or
294 regulations adopted thereunder. The department may also create and
295 release for radio and television broadcast noncommercial sustaining
296 announcements to encourage veterans in the state to participate in
297 such surveys, provide such data and otherwise enroll in such registry.
298 For purposes of this section, "noncommercial sustaining
299 announcement" means an announcement that airs during unsold
300 commercial time donated by a broadcaster to a broadcasters'
301 association and that is then made available to a state or federal
302 government agency or nonprofit organization at a reduced rate for the
303 promotion of specific public service programs or campaigns.

304 Sec. 15. Subsection (a) of section 27-122b of the 2018 supplement to
305 the general statutes is repealed and the following is substituted in lieu
306 thereof (*Effective October 1, 2018*):

307 (a) As used in this section, "veteran" means any person (1)
308 honorably discharged [from,] or released under honorable conditions
309 from [, active] service in the United States Army, Navy, Marine Corps,
310 Air Force or Coast Guard or any women's auxiliary branch thereof,
311 organized pursuant to an Act of Congress; (2) who has completed at
312 least twenty years of qualifying service, as described in and computed
313 under 10 USC Chapter 1223, as amended from time to time, in the
314 Connecticut National Guard; or (3) who was killed in action, or who

315 died as a result of accident or illness sustained while performing active
316 service, in the United States Army, Navy, Marine Corps, Air Force or
317 Coast Guard or any women's auxiliary branch thereof, organized
318 pursuant to an Act of Congress, or in the Connecticut National Guard.

319 Sec. 16. Subsection (b) of section 29-161q of the 2018 supplement to
320 the general statutes is repealed and the following is substituted in lieu
321 thereof (*Effective October 1, 2018*):

322 (b) No person hired or otherwise engaged to perform work as a
323 security officer, as defined in section 29-152u, shall perform the duties
324 of a security officer prior to being licensed as a security officer by the
325 Commissioner of Emergency Services and Public Protection. Each
326 applicant for a license shall complete a minimum of eight hours
327 training in the following areas: Basic first aid, search and seizure laws
328 and regulations, use of force, basic criminal justice and public safety
329 issues. The commissioner shall waive such training for any person
330 who, (A) while serving in the armed forces or the National Guard, or
331 (B) if such person is a veteran, within two years of such person's
332 discharge from the armed forces, presents proof that such person has
333 completed military training that is equivalent to the training required
334 by this subsection, and, if applicable, such person's military discharge
335 document or a certified copy thereof. For the purposes of this
336 subsection, "veteran" means any person who was discharged or
337 released under conditions other than dishonorable from [active]
338 service in the armed forces, "armed forces" has the same meaning as
339 provided in section 27-103, as amended by this act, and "military
340 discharge document" has the same meaning as provided in section 1-
341 219. The training shall be approved by the commissioner in accordance
342 with regulations adopted pursuant to section 29-161x.

343 (1) On and after October 1, 2008, no person or employee of an
344 association, corporation or partnership shall conduct such training
345 without the approval of the commissioner except as provided in
346 subdivision (2) of this subsection. Application for such approval shall
347 be submitted on forms prescribed by the commissioner and

348 accompanied by a fee of forty dollars. Such application shall be made
349 under oath and shall contain the applicant's name, address, date and
350 place of birth, employment for the previous five years, education or
351 training in the subjects required to be taught under this subsection, any
352 convictions for violations of the law and such other information as the
353 commissioner may require by regulation adopted pursuant to section
354 29-161x to properly investigate the character, competency and integrity
355 of the applicant. No person shall be approved as an instructor for such
356 training who has been convicted of a felony, a sexual offense or a crime
357 of moral turpitude or who has been denied approval as a security
358 service licensee, a security officer or instructor in the security industry
359 by any licensing authority, or whose approval has been revoked or
360 suspended. The term for such approval shall not exceed two years. Not
361 later than two business days after a change of address, any person
362 approved as an instructor in accordance with this section shall notify
363 the commissioner of such change and such notification shall include
364 both the old and new addresses.

365 (2) If a security officer training course described in this subsection is
366 approved by the commissioner on or before September 30, 2008, the
367 instructor of such course shall have until April 1, 2009, to apply for
368 approval as an instructor in accordance with subdivision (1) of this
369 subsection.

370 (3) Each person approved as an instructor in accordance with this
371 section may apply for the renewal of such approval on a form
372 approved by the commissioner, accompanied by a fee of forty dollars.
373 Such form may require the disclosure of any information necessary for
374 the commissioner to determine whether the instructor's suitability to
375 serve as an instructor has changed since the issuance of the prior
376 approval. The term of such renewed approval shall not exceed two
377 years.

378 Sec. 17. Section 31-22u of the general statutes is repealed and the
379 following is substituted in lieu thereof (*Effective October 1, 2018*):

380 Any member of the armed forces or National Guard or any veteran,

381 within two years of such veteran's discharge from the armed forces,
382 may submit an application for military training evaluation to the Labor
383 Department program of apprentice training set forth in section 31-22q.
384 Such application shall include (1) evidence of satisfactory completion
385 of a program or course of instruction as part of military training that is
386 equivalent in content and quality to that required for a specific trade in
387 this state, and (2) if such applicant is a veteran, such veteran's military
388 discharge document or a certified copy thereof. The Labor
389 Commissioner shall evaluate any such application and determine
390 whether the applicant's military training may be substituted for all or
391 part of the term of an apprenticeship program registered with the
392 Labor Department for a specific trade. If the commissioner determines
393 that the applicant's military training is equivalent to the training
394 required for completion of such apprenticeship program, the
395 commissioner shall issue such applicant a recommendation for review
396 by the appropriate examining board established under section 20-331.
397 Presentation of such recommendation, pursuant to section 20-333, shall
398 allow such applicant to sit for any licensure examination without
399 participation in an apprenticeship program. If the commissioner
400 determines that the applicant's military training is equivalent to part of
401 the training required for completion of an apprenticeship program,
402 such applicant's hours of qualified military training, as determined by
403 the commissioner, shall be deducted from the hours of apprenticeship
404 training required for the specific trade provided (A) such applicant
405 completes the minimum number of hours of apprenticeship training
406 required under federal law, and (B) prior to implementation of this
407 provision, the Labor Department obtains concurrence with such
408 provision from the federal office of apprenticeship pursuant to 29 CFR
409 29.13(b)(9). For the purposes of this section, (i) "veteran" means any
410 person who was discharged or released under conditions other than
411 dishonorable from [active] service in the armed forces, (ii) "armed
412 forces" has the same meaning as provided in section 27-103, as
413 amended by this act, and (iii) "military discharge document" has the
414 same meaning as provided in section 1-219.

415 Sec. 18. Section 31-3zz of the general statutes is repealed and the

416 following is substituted in lieu thereof (*Effective October 1, 2018*):

417 The Labor Commissioner shall establish a Special Operations
418 Resource Network to serve as a clearinghouse for veterans and
419 members of the armed forces and National Guard who have acquired,
420 as part of their military training, knowledge, experience or a set of
421 skills most compatible with certain professional opportunities. The
422 Labor Commissioner, in consultation with the Commissioner of
423 Veterans Affairs and the Adjutant General, shall develop a database in
424 which such veterans and members are categorized based on the types
425 of military training received and cross-referenced against certain
426 professional opportunities for purposes of pairing any such veteran or
427 member with any such professional opportunity. Any veteran or
428 member of the armed forces or National Guard may apply for
429 inclusion in such database by submitting (1) evidence of the military
430 training received by such veteran or member describing the particular
431 knowledge, experience or set of skills acquired, and (2) if such
432 applicant is a veteran, such veteran's military discharge document or a
433 certified copy thereof. The Labor Commissioner shall evaluate any
434 such application, include such veteran or member in such database,
435 and so categorize such veteran or member as described in this section.
436 The Labor Commissioner shall update such database weekly and shall
437 publish such database on the Labor Department's Internet web site.
438 Any person interested in hiring any such veteran or member included
439 in such database shall contact the department through a dedicated
440 telephone number and the department shall facilitate contact between
441 such person and such veteran or member. For the purposes of this
442 section, (A) "veteran" means any person who was discharged or
443 released under conditions other than dishonorable from [active]
444 service in the armed forces, (B) "armed forces" has the same meaning
445 as provided in section 27-103, as amended by this act, and (C) "military
446 discharge document" has the same meaning as provided in section 1-
447 219.

448 Sec. 19. Subsection (c) of section 51-49h of the general statutes is
449 repealed and the following is substituted in lieu thereof (*Effective*

450 October 1, 2018):

451 (c) For purposes of this section: (1) "Armed forces" means the United
452 States Army, Navy, Marine Corps, Coast Guard and Air Force; (2)
453 "veteran" [means any person honorably discharged from, or released
454 under honorable conditions from active service in, the armed forces]
455 has the same meaning as provided in subsection (a) of section 27-103,
456 as amended by this act; (3) "military service" shall be service during
457 World War II, December 7, 1941, to December 31, 1946; the Korean
458 hostilities, June 27, 1950, to October 27, 1953; and the Vietnam era,
459 January 1, 1964, to July 1, 1975, and shall include service as a prisoner
460 of war.

461 Sec. 20. Subsection (b) of section 54-56e of the general statutes is
462 repealed and the following is substituted in lieu thereof (*Effective*
463 *October 1, 2018*):

464 (b) The court may, in its discretion, invoke such program on motion
465 of the defendant or on motion of a state's attorney or prosecuting
466 attorney with respect to a defendant (1) who, the court believes, will
467 probably not offend in the future, (2) who has no previous record of
468 conviction of a crime or of a violation of section 14-196, subsection (c)
469 of section 14-215, section 14-222a, subsection (a) or subdivision (1) of
470 subsection (b) of section 14-224, section 14-227a or 14-227m or
471 subdivision (1) or (2) of subsection (a) of section 14-227n, and (3) who
472 states under oath, in open court or before any person designated by the
473 clerk and duly authorized to administer oaths, under the penalties of
474 perjury, (A) that the defendant has never had such program invoked
475 on the defendant's behalf or that the defendant was charged with a
476 misdemeanor or a motor vehicle violation for which a term of
477 imprisonment of one year or less may be imposed and ten or more
478 years have passed since the date that any charge or charges for which
479 the program was invoked on the defendant's behalf were dismissed by
480 the court, or (B) with respect to a defendant who is a veteran, that the
481 defendant has not had such program invoked in the defendant's behalf
482 more than once previously, provided the defendant shall agree thereto

483 and provided notice has been given by the defendant, on a form
484 prescribed by the Office of the Chief Court Administrator, to the victim
485 or victims of such crime or motor vehicle violation, if any, by
486 registered or certified mail and such victim or victims have an
487 opportunity to be heard thereon. Any defendant who makes
488 application for participation in such program shall pay to the court an
489 application fee of thirty-five dollars. No defendant shall be allowed to
490 participate in the pretrial program for accelerated rehabilitation more
491 than two times. For the purposes of this section, "veteran" means any
492 person who was discharged or released under conditions other than
493 dishonorable from [active] service in the armed forces, as defined in
494 section 27-103, as amended by this act.

495 Sec. 21. Subsection (c) of section 54-56i of the general statutes is
496 repealed and the following is substituted in lieu thereof (*Effective*
497 *October 1, 2018*):

498 (c) The court, after consideration of the recommendation of the
499 state's attorney, assistant state's attorney or deputy assistant state's
500 attorney in charge of the case, may, in its discretion, grant such
501 application. If the court grants such application, the court shall refer
502 such person (1) to the Court Support Services Division for
503 confirmation of the eligibility of the applicant, (2) to the Department of
504 Mental Health and Addiction Services for evaluation and
505 determination of an appropriate drug education or substance abuse
506 treatment program for the first or second time such application is
507 granted, and (3) to a state-licensed substance abuse treatment program
508 for evaluation and determination of an appropriate substance abuse
509 treatment program for the third time such application is granted,
510 except that, if such person is a veteran, the court may refer such person
511 to the Department of Veterans Affairs or the United States Department
512 of Veterans Affairs, as applicable, for any such evaluation and
513 determination. For the purposes of this subsection and subsection (d)
514 of this section, "veteran" means any person who was discharged or
515 released under conditions other than dishonorable from [active]
516 service in the armed forces, as defined in section 27-103, as amended

517 by this act.

518 Sec. 22. Subsection (a) of section 54-56l of the general statutes is
519 repealed and the following is substituted in lieu thereof (*Effective*
520 *October 1, 2018*):

521 (a) There shall be a supervised diversionary program for persons
522 with psychiatric disabilities, or persons who are veterans, who are
523 accused of a crime or crimes or a motor vehicle violation or violations
524 for which a sentence to a term of imprisonment may be imposed,
525 which crimes or violations are not of a serious nature. For the purposes
526 of this section, (1) "psychiatric disability" means a mental or emotional
527 condition, other than solely substance abuse, that (A) has substantial
528 adverse effects on the defendant's ability to function, and (B) requires
529 care and treatment, and (2) "veteran" means a person who is found,
530 pursuant to subsection (d) of this section, to have a mental health
531 condition that is amenable to treatment, and who was discharged or
532 released under conditions other than dishonorable from [active]
533 service in the armed forces, as defined in section 27-103, as amended
534 by this act.

535 Sec. 23. Subsection (a) of section 54-56n of the general statutes is
536 repealed and the following is substituted in lieu thereof (*Effective*
537 *October 1, 2018*):

538 (a) The Judicial Branch shall collect data on the number of members
539 of the armed forces, veterans and nonveterans who, on and after
540 January 1, 2016, apply for and are granted admission or are denied
541 entry into (1) the pretrial program for accelerated rehabilitation
542 established pursuant to section 54-56e, as amended by this act, (2) the
543 supervised diversionary program established pursuant to section 54-
544 56l, as amended by this act, or (3) the pretrial drug education and
545 community service program established pursuant to section 54-56i, as
546 amended by this act. Data compiled pursuant to this section shall be
547 based on information provided by applicants at the time of application
548 to any such program. For the purposes of this section, "veteran" means
549 any person who was discharged or released under conditions other

550 than dishonorable from [active] service in the armed forces and "armed
 551 forces" has the same meaning as provided in section 27-103, as
 552 amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	27-103
Sec. 2	October 1, 2018	4-61bb(a)
Sec. 3	October 1, 2018	5-224
Sec. 4	October 1, 2018	7-294d(b)
Sec. 5	October 1, 2018	10a-149d(a)
Sec. 6	October 1, 2018	12-217pp(a)(10)
Sec. 7	October 1, 2018	12-81jj(b)(2)
Sec. 8	October 1, 2018	14-36(e)(3)
Sec. 9	October 1, 2018	14-36h(f)
Sec. 10	October 1, 2018	19a-179(b)
Sec. 11	October 1, 2018	20-206mm(l)
Sec. 12	October 1, 2018	27-100g
Sec. 13	October 1, 2018	27-102q(a)
Sec. 14	October 1, 2018	27-109a(a)
Sec. 15	October 1, 2018	27-122b(a)
Sec. 16	October 1, 2018	29-161q(b)
Sec. 17	October 1, 2018	31-22u
Sec. 18	October 1, 2018	31-3zz
Sec. 19	October 1, 2018	51-49h(c)
Sec. 20	October 1, 2018	54-56e(b)
Sec. 21	October 1, 2018	54-56i(c)
Sec. 22	October 1, 2018	54-56l(a)
Sec. 23	October 1, 2018	54-56n(a)

Statement of Legislative Commissioners:

In Sec. 19, after "subsection (a) of section 27-103" ", as amended by this act" was inserted for consistency with drafting conventions.

VA Joint Favorable Subst. -LCO

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Resources of the General Fund	GF - Potential Revenue Loss	See Below	See Below
Various State Agencies	GF - Potential Cost	See Below	See Below
Resources of the Special Transportation Fund	TF - Potential Revenue Loss	See Below	See Below

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact:

Municipalities	Effect	FY 19 \$	FY 20 \$
Various Municipalities	Potential Revenue Loss	See Below	See Below

Explanation

This bill expands eligibility for veteran benefits and results in costs to multiple agencies and revenue loss to the General Fund, Special Transportation Fund, and Municipalities.

Section 1(a)(2) expands the definition of a veteran to individuals of the armed services who were honorably discharged without having engaged in active service beyond their initial training (basic) and Advanced Individual Training (AIT). There are approximately 185,000 veterans in Connecticut as of 9/30/2017¹. It is unknown how many additional individuals would be deemed eligible for select veteran

¹ Source: U.S. Department of Veterans Affairs National Center for Veterans Analysis and Statistics

benefits under the bill. The extent of the potential revenue loss and the costs to agencies, therefore, is unknown. Below is a list of benefits that have a fiscal impact which this population would now have access to.

- **Certain Veteran Benefits Not Included in Assistance Program Eligibility Calculations:** The Department of Social Services commissioner disregards a veteran's or surviving spouse's federal aid and attendance pension benefits when calculating income for certain assistance programs.
- **Windshield Handicap Placard:** Under PA 17-79 veterans with PTSD have an option to receive this placard.
- **Veterans Agriculture Program:** This program gives a tax incentive to encourage certain veterans to start a farming business. The average incentive provided for a start-up farmer is less than \$1,500.
- **Veterans Small Business:** Effective October 1, 2016, Department of Administrative Services (DAS) provides certain veteran-owned businesses with up to a 15% price preference for certain open market orders or contracts.
- **Probate Records:** Veterans are entitled to a free copy of their probate record.
- **State identification card fee waiver for blind veterans:** The law authorizes the DMV commissioner to waive the \$22.50 non-driver identification card fee for any applicant who is a blind veteran.
- **Security Deposit Program:** The Department of Housing, through its Security Deposit Guarantee Program, provides security deposit guarantees (payment for damages), within available appropriations, to financially eligible individuals living in emergency housing or receiving a government rental subsidy who do not have access to security deposits through

another resource. The Commissioner is required to prioritize providing these guarantees to eligible veterans. The average, annual cost to DOH per program participant is \$1,600.

- **Death certificate waiver:** A veteran's spouse, child, or parent is entitled to have the \$20 fee waived for one certified copy of the veteran's death certificate.
- **High School Diploma:** The exam fee waiver for high school diplomas is waived for veterans.

Section 1(a)(3) expands veteran war service benefits to veterans who served less than 90 days during a period of war due to an injury incurred or aggravated in the line of duty that isn't a service-connected disability and results in a potential cost to the state. The exact population this affects is unknown but it is anticipated to be minimal. The wartime service benefits with a fiscal impact that would be available to this population are listed below.

- **Tuition waivers:** State public colleges and universities except for Charter Oak State College waive tuition for wartime veterans who are accepted into the institution and live in the state.
- **Commissioner's Temporary Assistance:** Wartime veterans with a disability or other service-related cause are eligible for temporary financial assistance from the Commissioner of Veterans Affairs in an amount and for a time he decides.
- **Soldiers', Sailors' and Marines' Fund:** Provides temporary aid to needy wartime veterans and their spouses and dependent children.
- **Motor Vehicle Registration Fee Exemptions:** The law authorizes free motor vehicle registration if a wartime veteran is disabled, former prisoner of war, or recipient of the Congressional Medal of Honor.

- **Burial Expenses:** If a wartime veteran dies without enough money to pay for burial expenses as determined by the Commissioner of the Department of Veterans Affairs (DVA), the state must pay \$1,800 towards his or her funeral expenses.
- **Funeral Honor Guards:** Wartime veterans are eligible for up to six honor guards at his or her funeral. Honor guards are compensated at \$50 per day.
- **Itinerant Vendor Permit Fee Exemptions:** Wartime veterans are exempt from the \$200 fee for a town hawker and peddler permit and are exempt from any local itinerant vendor's license fee.
- **Property Tax Exemptions:** State law provides a minimum of \$1,500 in municipal property tax exemptions. Municipalities also have the option to exempt \$20,000 or 10% of a property's assessed value in addition to the veterans' exemptions.
- **Retirement Credit:** Special service credit for members of the Municipal Employees' Retirement System for those who leave employment to enter the armed services and then return to employment within six months of discharge. Also, state workers in hazardous duty service who were granted military leave and returned within 90 days of discharge receive retirement credit for the period of their wartime service.

Section 1(b) removes a residential requirement for admittance to the DVA Residential Services Facility and Healthcare Center. There may be a cost to the extent individuals not otherwise eligible for service at the facilities due to residency requirements are able to receive service. It is anticipated that this will affect less than ten veterans per year. To the extent that they are Medicaid eligible the average daily per person gross Medicaid cost for the Healthcare Center is \$758. The federal Medicaid reimbursement rate is approximately 50%. The average

daily per person cost to the state for the Residential Services Facility is \$141².

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

² Source: Office of the State Comptroller, Annual Medicaid Cost Report for FY 18.

OLR Bill Analysis**SB 287*****AN ACT EXPANDING ELIGIBILITY FOR CERTAIN VETERANS BENEFITS.*****SUMMARY**

This bill extends certain state veteran benefits to reservists and Connecticut National Guard members without active service beyond their initial (basic) training and Advanced Individual Training (AIT) (see BACKGROUND). It does so by eliminating the requirement that a veteran be discharged from active service from the general “veteran” definition under state law.

The bill also extends certain war service benefits to veterans who served in a time of war (see BACKGROUND) that lasted less than 90 days, but were separated from service before the war ended because they incurred or aggravated an injury in the line of duty that is not a service-connected disability rated by the U.S. Department of Veterans Affairs (US VA).

It also removes current law’s two-year state residency requirement for eligibility for certain benefits (e.g., hospital care and funeral expenses) for veterans who did not reside in Connecticut at the time of their enlistment or induction into the armed forces.

The bill also makes technical, minor, and conforming changes.

EFFECTIVE DATE: October 1, 2018

RESERVISTS AND NATIONAL GUARD MEMBERS

The bill makes reservists and National Guard members eligible for certain state veteran benefits that do not require wartime service including, among other things:

1. civil service exam bonus points (§ 3);
2. police officer certification if they (a) satisfactorily completed an armed forces training program or course of instruction equivalent in content and quality to state requirements and (b) pass a Police Officer Standards and Training Council-approved examination or evaluation (§ 4);
3. college credit for military occupational specialty training (§ 5);
4. participation in the job expansion tax credit program (§ 6);
5. a waiver of driver's license examination fees if the veteran applies within two years of discharge from the military (waiver of driving skill test only for commercial driver's license) (§ 8);
6. veteran status on driver's licenses and identity cards (§ 9);
7. exemption from training and testing requirements for the emergency medical technician licensure and certification, if the veteran has appropriate military training (§§ 10 & 11);
8. inclusion in the Connecticut women veterans' program (§ 12);
9. benefits for veterans discharged on basis of sexual orientation (§ 13);
10. inclusion in the veterans' health registry maintained by the Veterans Affairs commissioner (§ 14);
11. eligibility for burial in a veterans' cemetery (also available to a veteran's spouse) (§ 15);
12. waiver of the security officer training requirement for a Department of Emergency Services and Public Protection license, if the veteran applies within two years of discharge (§ 16);
13. substitution of equivalent military training for all or part of the

- term of an apprenticeship program registered with the Labor Department (§ 17);
14. inclusion in the Special Operations Resource Network established by the Department of Labor (§ 18);
 15. service credit for military service for retirement purposes for judges, family support magistrate, or compensation commissioners (§ 19);
 16. access to the accelerated pretrial rehabilitation program more than once (§ 20);
 17. pretrial drug education and community service program referrals to U.S. VA (§ 21);
 18. entry into the pretrial supervised diversionary program for persons with psychiatric disabilities and veterans where veterans are placed in a program more suitable to them (§ 22);
 19. certain fee waivers (e.g., state high school diploma examination) (CGS § 10-5);
 20. exclusion of certain veteran pension benefits when calculating eligibility for certain social services programs (CGS § 17b-28i);
 21. priority in the Department of Housing's Security Deposit Guarantee Program (CGS § 31-3uu);
 22. tax incentives for veterans starting a farming business (CGS § 12-412(D)(63); and
 23. price-preferences for veteran-owned small businesses for certain state contracts (CGS § 4a-59c).

INJURY INCURRED OR AGGRAVATED IN THE LINE OF DUTY

The bill extends certain wartime benefits to veterans who served in a war that lasted less than 90 days, but were separated from service before the war ended because of an injury incurred or aggravated in

the line of duty, even if the injury was not a service-connected disability rated by the U.S. VA as is required in such circumstances under current law. For eligible veterans, such benefits include, among other things:

1. certain property tax exemptions (minimum of \$1,500) (CGS §§ 12-81(19) and 12-81g);
2. honorary high school diploma (CGS § 10-221a(i));
3. tuition waivers for the state's public colleges and universities (CGS §§ 10a-77, 10a-99, and 10a-105);
4. civil service exam bonus points (CGS §§ 5-224 and 10a-105);
5. temporary assistance from the Veterans Affairs commissioner (CGS § 27-125);
6. temporary aid from the Soldiers', Sailors' and Marines' Fund (CGS § 27-138 et seq.);
7. veterans' service ribbons and medals (CGS § 27-73e); and
8. burial expenses and funeral honor guards (CGS §§ 27-118 and 27-76).

REMOVAL OF THE TWO-YEAR RESIDENCY REQUIREMENT

The bill removes current law's two-year state residency requirement for veterans who were not Connecticut residents at the time of enlistment or induction into the armed forces for eligibility for certain benefits, including, among other things:

1. admission into any hospital, upon the Veterans Affairs commissioner's request, at the state's expense unless other means of payment are available (CGS § 27-109);
2. treatment in a Veteran's Administration facility if probate court directs commitment due to mental illness (CGS § 27-110);

3. \$1,800 toward funeral expenses or cremation for certain indigent veterans (CGS § 27-118);
4. cost of transportation and erection or installation of a grave headstone (CGS § 27-119); and
5. temporary assistance CGS § 27-125

BACKGROUND

Training

Basic training is a 10-week course that teaches recruits tactical and survival skills, including learning how to, among other things, shoot, rappel, and march. In AIT, recruits receive hands-on training and instruction in the specific field to which they will be assigned. The length of AIT varies from three weeks to over a year, depending on the military specialty.

War Time Service

Table 1 summarizes the dates and service conditions that constitute “service in time of war.”

Table 1: Post-1940 "Service in Time of War"

<i>Operation</i>	<i>Date</i>	<i>Service Condition</i>
World War II	12/07/41-12/31/47*	Active service during the war
Korean War	06/27/50-01/31/55	Active service during the war
Lebanon Conflict	07/01/58-11/01/58 or 09/29/82-03/30/84	Combat or combat-support role in Lebanon
Vietnam Era	02/28/61-07/01/75	Active service during the war
Grenada invasion	10/25/83-12/15/83	Combat or combat-support role in Grenada required
Operation Earnest Will (escort of Kuwaiti tankers flying U.S. flag in Persian Gulf)	07/24/87-08/01/90	Combat or combat-support role required in the operation
Panama invasion	12/20/89-01/31/90	Combat or combat-support role required in the invasion
Persian Gulf War	08/02/1990 until a date prescribed by the President or law	Active-service anywhere during the war (not necessarily in the Persian Gulf or in a combat role)

*Ending dates specified in CGS § 12-86 for property tax exemptions.

Related Bill

sSB 284, favorably reported by the Veterans Committee, extends certain benefits, available to veterans honorably discharged or released under honorable conditions from active service in the armed forces, to veterans who (1) were discharged under other conditions, other than dishonorably or for bad conduct (i.e., other than honorable discharge) and (2) have certain qualifying conditions.

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable

Yea 14 Nay 0 (03/14/2018)